

### **REMARKS**

We have amended claims 1 and 6 to more particularly point out and distinctly claim the invention. More specifically, we have amended claim 1 to make clear that the processing of the stored events takes place on a plurality of stored events as a group and results in the sending of electronic invitations for all invitations of that plurality group for which matches were identified. More specifically, the claim now recites:

... after the plurality of event records storing the event information has been electronically stored in the event information database for all of the events among the plurality of events, for each event of the plurality of events, in a computer system comparing the stored event information obtained from the event information database for that event and the stored member information obtained from the member information database to identify for each member among the plurality of members all events among the plurality of events that match the stored member information for that member.

In other words, the claimed invention collects and stores event information for a plurality of events and then processes the event information for the plurality of events to identify matches among the plurality of members.

Claims 1-6, 8, and 10-14 are still pending in this application.

The examiner rejected claims 1-6, 8, and 10-14 as being directed to non-statutory subject matter because they fail the machine-or-transformation test. We have addressed this objection by amending claims 1 and 6 to make clear that the steps include electronically storing and doing the comparing in a computer system.

The Examiner again rejects claims 1-6, 8, and 10-14 under 35 U.S.C. §103(a) as being unpatentable over WO 01/52106 A2 by Gal et al. (a.k.a. Gal). The Examiner admits that "Gal fails to expressly disclose sending 'all of' the matching events/invitations in one e-mail to the user." But the Examiner argues that it would have been obvious to one of ordinary skill in the art to add this feature to Gal's system.

Our present amendments clarify a distinction that we previously argued and which we submit is a valid distinction. More specifically, the claim now recites that:

... after the plurality of event records storing the event information has been electronically stored in the event information database for all of the events among the plurality of events, for each event of the plurality of events, in a computer system comparing the stored event information obtained from the event information database for that event and the stored member information obtained from the member information database to identify for each member among the plurality of members all events among the plurality of events that match the stored member information for that member

The highlighted portion represents some of the relevant newly added language. We submit that Gal does not perform this function. That is, Gal does not collect a plurality of event records and then, after they are collected, compare stored event information in that plurality of records to stored member information to identify members to whom electronic invitation messages are to be sent. Rather, Gal processes each message as it is received and decides to whom to forward that message. Gal's system is for forwarding individual messages; it is not a system for identifying members to whom invitations to a plurality of future events should be sent.

We also note that Gal does not store event information about a plurality of events. The examiner disagrees and argues that the message about which Gal speaks could include information about a plurality events. We believe that the examiner is improperly reading disclosure into the Gal reference. However, to address this concern we have amended the claims to recite: "electronically storing in an event information database a plurality of event records, each event record storing event information for a corresponding different event of a plurality of events, wherein the event information stored in each of the plurality of event records includes one or more corresponding invitee selection criteria," as now recited in claim 1. To the extent that Gal stores a received message that might relate to multiple events, that is not the same as storing a plurality of event records wherein each record stores information about a corresponding different event.

As we noted above, the examiner admits that Gal fails to expressly disclose sending all of the matching events/invitations in one e-mail to the user. But the examiner argues that:

...Gal does disclose combining event information by user/key number (pg. 5), and Gal also discloses electronically sending invitation information to users (pg.4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invitation was made to have included sending "all of" the matching events/invitations in one

e-mail to the use[r] in the system disclosed by Gal, for the advantage of providing a method of invitation delivery with the ability to save system resources for both the user and the sender, by combining information sent.

But this argument ignores that Gal actually teaches away from adding this feature or modification to his system. More specifically, Gal teaches away from a modification “wherein each electronic invitation message invites its corresponding recipient to all of the events for which matches were detected for that corresponding recipient,” as recited in the claims.

The parts of Gal’s database 90 that store event information and user/key numbers are tables 98 and 100. Table 98 lists invitations along with pointers to the message block describing the event and Table 100 lists user/key numbers identifying the users and for each user/key number, the invitations which apply to that user/key. These two tables are provided as support for the dynamic creation of a web page when the user visits the web site.

In arguing that it would be obvious to use the information that is stored in these two tables to generate emails that consolidate multiple invitations for each user, the Examiner is ignoring why those tables are provided in the first place. More specifically, the Examiner is ignoring that these features are part of an alternative embodiment designed to avoid sending email to users. Gal states:

An alternative system using a dynamically created web page uses tables such as Tables 98 and 100. Each invitation message created is associated with a pointer to the message block. ... Thus, when a user goes to the web page for the user’s invitations, a web page is dynamically constructed by searching the database 90 for invitation corresponding to the user’s key number. [emphasis added] (page 5, lines 15-20).

The advantage of the message with the dynamically created web page rather than a traditional E-mail type message is that the messages are not considered as intrusive by the recipient since the recipient only needs to see the invitations when they go to the dynamically created web page. The messages don’t clog up the recipient’s work or hone E-mail system. [emphasis added] (page 6, lines 2-6).

Since Gal’s alternative embodiment is for deployments in which email is to be avoided, why would a person of ordinary skill in the art then use the information that is collected for that alternative embodiment to generate emails? We submit that a person of ordinary skill in the art would not modify Gal’s system in the way the Examiner has proposed. Moreover, since Gal has already provided an embodiment which employs an email notification mechanism (i.e., his first

described embodiment) in which invitations are forwarded to users by email as those invitations arrive at the site, there is no motivation to modify the alternative embodiment to perform a function it was designed to avoid performing.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-0219, under Order No. 2000874.00146US1 from which the undersigned is authorized to draw.

Respectfully submitted,

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